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SIPDIS

SENSITIVE

DEPT FOR WHA/PPC, WHA/AND, AND G/TIP

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SUBJECT: ECUADOR CONTINUES TO MOVE FORWARD ON TRAFFICKING IN PERSONS

REF: QUITO 2274

**¶11. (U)** Summary. Ecuador continues to push ahead in its fight against trafficking in persons (TIP). The Embassy TIP working group met on September 1 to review GOE and USG efforts to combat TIP since the August 18th Presidential decree (Reftel). Raids on brothels continued, and the GOE is giving victims services priority in its national TIP planning. Government Minister Raul Baca continues to coordinate GOE efforts through an active GOE anti-TIP working group and told the Ambassador of a new TIP victims shelter and the possible opening of another one in the capital. Several penal code reform bills to punish traffickers have been drafted, and a harmonized bill drafted by the Government will be submitted to Congress shortly. End Summary.

AMBASSADOR'S MEETINGS WITH GOE OFFICIALS

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**¶12. (SBU)** At a breakfast with the Ambassador on August 24, Baca, GOE's TIP Coordinator, expressed his strong personal commitment to combat TIP. Baca is attempting to harmonize several bills in Congress which penalize TIP, child pornography, and violence against women. He noted positive press play on the problems and GOE efforts to combat it. The media across the country have written numerous articles on child pornography and commercial sexual exploitation, and civil society has mobilized marches to demand strong GOE efforts to protect victims

**¶13. (SBU)** Baca was concerned about providing services to victims and mentioned a new victims shelter in Machala. He said one shelter is not enough, so the GOE is exploring with UNESCO funding possibilities for a victims' center in historic Quito center. Upon further investigation, PolOff learned the shelter in Machala will open in November and is operated jointly by a NGO and the ILO. The shelter's work will focus on prevention and recovery of children who are victims of sexual exploitation. PolOff will follow-up with the ILO to learn more about the services offered for TIP victims.

**¶14. (SBU)** Also on August 24, the Ambassador met with National Police Chief Jorge Poveda, who discussed his efforts to fight TIP and the need for additional work in specific areas. Poveda said he believes in the importance of coordination between the police and victims' services' providers. (The Embassy plans to facilitate this dialogue.) Poveda said he also plans to train additional officers to join DINAPEN, a police unit that focuses its work on assisting children, in response to mounting requests from provincial police forces all over the country.

LAW ENFORCEMENT'S ACTIONS

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**¶15. (U)** DINAPEN continued to conduct raids on brothels and nightclubs where minors work as prostitutes. From August 14 to 26, the police visited 36 establishments in 14 provinces. They rescued 61 minors. DHS inspections of nightclubs in Quito confirm that the number of minor victims found is realistic. (Reports were faxed to WHA/PPC on September 3.) The following is pertinent information from the police reports:

--On August 15, police found 9 adolescents in a discotheque in Esmeraldas.

--On August 22, 18 minors were found in a discotheque in Manabi.

--From August 21 to 27, 5 minors from Colombia, 1 from Argentina, and 1 from Peru were found in raids.

--Most minors were returned to their parents, but one minor in El Oro province reportedly was taken to a shelter.

**¶16. (U)** In conjunction with the Capital Historic Center Administration, police have conducted raids recently in Quito and closed 14 brothels for a lack of appropriate paperwork. A September 1 article in leading Quito daily, Hoy newspaper, reports that 150 prostitutes were displaced as part of this action.

**¶7.** (U) DHS trained GOE officers from across the country on computer forensics to combat child pornography. On August 11, 18 Ecuadorian National Police officers were trained, and on August 12, 18 officials from DINAPEN, the judicial police, and the prosecutors office received training. Mariana Yepez, the attorney general, opened the August 12 session, expressed the GOE's commitment to fighting child pornography, and said she supports training for GOE personnel. The GOE financially supported the program by sending 7 officials to Quito on temporary duty from Guayaquil, Santo Domingo, and Cuenca for training.

**¶8.** (SBU) DHS continues to work with GOE officials to prosecute Joseph Day, a Cuban-American who engaged in child pornography in Guayaquil, in the U.S. under provision of the Protect Act. The GOE is expected to deport Day to the U.S. shortly.

**¶9.** (SBU) DHS and the Ecuadorian National Police also worked together to deport Brandon Jones to the U.S. for prosecution. Jones was wanted on a range of child sex charges in South Carolina. USG and GOE agents conducted this investigation under Operation Predator, which protects children against sex crimes.

**¶10.** (U) Press reports that the Burdet-Cedeno couple has received additional sentences for crimes of child pornography in the Galapagos. The couple reportedly received three sentences for 16, 12, and 20 years respectively. They were prosecuted for child pornography and sexual abuse of more than 50 minors. National media coverage of this case was extensive.

#### VICTIM SERVICES

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**¶11.** (SBU) On August 31, PolOff met with Rocio Rosero, director of CONAMU (the National Commission on Women), which is an institutional member of the newly created anti-TIP GOE working group with special interest in victims services. Rosero said she is conducting a pilot program with UNICEF through a church in Sucumbios to provide services to TIP victims. CONAMU is also working with a local NGO in Coca to provide victims services.

**¶12.** (SBU) At a meeting with PolOff on September 1, National Institute of the Children and Families (INNFA)'s representative Lillian Ortiz described plans to provide long-term social services to victims of TIP and commercial sexual exploitation. PolOff encouraged INNFA to work with NGOs already engaged in victims services to develop a national network of shelters to supplement limited and less appropriate police-run facilities.

#### PENAL CODE REFORM

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**¶13.** (SBU) According to CONAMU Director Rosero, the Committee to Design the National Plan to Combat Trafficking in Persons, Alien Smuggling, and Labor and Sexual Exploitation, established in the presidential decree (reftel), has begun meeting biweekly to coordinate GOE efforts. Last week's meeting focused on legal reform of the penal code. The Government Ministry is trying to harmonize several draft reform bills into a unified Government proposal, which will sanction TIP and impose prison terms of up to 12 years for traffickers. Once the President signs the bill, it will be sent to Congress. Rosero told PolOff she has begun meeting with interested members of Congress to explain and lobby for the reforms. MFA Director General for Human Rights Julio Prado told PolCouns that the GOE needs to carefully review the draft legislation to ensure it complies fully with the provisions of the TIP Protocol of the Palermo Convention.

#### NEXT STEPS: VICTIM SERVICES AND TRAINING

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**¶14.** (SBU) Anti-TIP legislation is a necessary and important benchmark for progress. However, existing legislation is not sufficient to allow the GOE to prosecute traffickers, and minors are being removed from prostitution houses on labor law violations which do not levy sanctions on traffickers. We will continue to work with the GOE to resolve the issue of competing anti-TIP legislation in Congress and monitor the status of bills. We will also strive to ensure that any reforms are compatible with the GOE's obligations under the Palermo Convention protocols.

**¶15.** (SBU) Victim services and training are also critical to the GOE's protection efforts. We plan to visit the shelter Baca mentioned and the shelter in El Oro province (see paragraph 5) to determine what services are offered. We also will work with NGOs and the GOE to encourage progress. End comment.

KENNEY